



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2204453  
**Applicant Name:** Donnie North for Seattle Housing Authority (SHA)  
**Address of Proposal:** 4500 Martin Luther King Jr. Way South

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to establish the use for the future construction of one (1) three-story mixed use building with 38 units and one (1) 4-story building with 37 units for a total of 75 units for affordable housing. The project includes surface and below grade parking for 81 vehicles

The following approvals are required:

**SEPA - Environmental Determination** - Chapter 25.05, (SMC)

**Design Review** - Chapter 23.41, (SMC)

**SEPA DETERMINATION:** ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS  
☐ DNS with conditions  
☐ DNS involving non-exempt grading, or demolition, or  
involving another agency with jurisdiction.

**BACKGROUND DATA**

Site Description

The 45,834-square-foot project site is located in close proximity to the Martin Luther King Jr. Way South and South Alaska Street. Two new streets, 29<sup>th</sup> Avenue South and South Snoqualmie form the north edge of the site. The site is an irregular shape and slopes up from its east corner to its west corner approximately 35 feet.

A portion of the site is located in a Lowrise Residential Commercial 4 zone (L-4 RC) and the rest of the site is zoned L-4. For the immediate vicinity, the Master Plan for the redeveloped Rainier Vista proposed a mix of residential with commercial mixed use (along MLK) and single purpose residential buildings with a range of heights and density. The site has a few trees which will be retained.

### Area Development

The project is a component of SHA's Rainier Vista HOPE VI Redevelopment project (MUP 2000638).

### Project Description

The project is to construct two low-income apartment buildings with a total of 75 units and a common room. Parking for each building will be located in partially below-grade garages. Residential open space areas will be located at grade and/or on the top of the garage lid. The applicants stated that departures from the applicable development standards of the Land Use Code would be requested.

### Public Comment

No comment letters were received during the official comment period which ended January 29, 2003.

## **ANALYSIS - DESIGN REVIEW**

This project was subject to the design review program. The designers received initial early design guidance at a design review meeting August 13, 2002.

### Public Comment

No local residents were present at the meeting on August 13, 2002.

### **Priorities:**

After visiting the site, considering the analysis of the site and context provided by the proponents and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those siting and design guidelines found in the City of Seattle's "*Design review: Guidelines for Multifamily and Commercial Buildings*" and the "*Rainier Vista Design Guidelines*" of highest priority for this project:

#### **A-1: Responding to Site Characteristics.**

*The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.*

The site plan should respond to the project's location in close proximity and across the street from a public park. The buildings should be oriented towards the public streets.

#### **\* November 5, 2002 corrections - MH**

#### **A-2: Streetscape Compatibility.**

*The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.*

The siting of the buildings should preserve the existing street character along South Alaska Street.

**A-4: Human Activity**

*New development should be sited and designed to encourage human activity on the street.*

The site planning, location of vehicular entrances, on-site circulation and off-site pedestrian connections should acknowledge close proximity to the public park and the major street intersection. The overall design should incorporate safe and convenient pedestrian connections.

**A-5: Respect for Adjacent Sites.**

*Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.*

The overall design should relate well to the abutting townhouse development.

**A-8: Parking and Vehicular Access.**

*Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.*

The design and location of the entrances to the garages must comply with this guideline.

**B-1: Height, Bulk and Scale Compatibility.**

*Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.*

The design of the project should be compatible with and should respect the future low density residential development on the abutting property.

**C-3: Human Scale.**

*The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.*

and

**C-4: Exterior Finish Materials.**

*Building exterior should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.*

and

**C-5: Structured Parking Entrances**

*The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.*

and

**D-1: Pedestrian Open Spaces and Entrances.**

*Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.*

and

**D-2: Blank Walls.**

*Buildings should avoid large walls facing the street, especially near sidewalks.*

The design must be in compliance with these guidelines.

**D-7: Personal Safety and Security.**

*Project design should consider opportunities for enhancing personal safety and security in the environment under review.*

The project should be designed to enhance safety and security by maximizing transparency and thoughtful landscaping.

**E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites.**

*Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.*  
and

**E-2 Landscaping to Enhance the Building and/or Site.**

*Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.*  
and

**E-3 Landscape Design to Address Special Site Conditions.**

*The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.*

Project's landscaping is an important component of the overall design. The proposed landscaping plan should be presented to the Board at the next meeting. The existing trees (to be preserved per the subdivision condition) should be integrated in project's landscaping.

## **RECOMMENDATION MEETING**

The recommendation meeting convened April 8, 2003 with introductions of the Board.

### **Architects Response**

The Architect briefly presented an overview of the project and presented the design response to the priority design guidelines listed above. The buildings are oriented to the park across Snoqualmie Avenue in that the principal entrances and community rooms face onto the park. The South Alaska Street character has been preserved in that some of the street trees are remaining and the existing sidewalk has been retained.. There will be more bulk along that street front with the new buildings, but they have been modulated and landscaping will ease into the streetscape. A walkway will be provided for open access through the site from Snoqualmie to South Alaska Street. One of two parking entries will be on Snoqualmie because the site topography is best for an entry at that location. Scale, finish materials, parking entrances and pedestrian open spaces have been designed to accommodate human scale by modulating the forms, using high quality materials for the exterior, minimizing parking entrance, and providing well-designed pedestrian open spaces. Blank walls on South Alaska have been partially minimized. Landscaping will enhance the open space and special site constraints are addressed.

Public Comments

There were several comments from the public. Appropriate lighting project-wide should be provided. Low level lighting is preferred along walkways, parking areas and outdoor areas.

The Board deliberated and discussed several concerns with the architect. The Board recommended that the architect further refine the corner of building A where a gate to the green space and public sidewalk should be installed. The Board recommended approval of the proposed additional alley surface parking. The Board recommended approval of design for Building A. The pedestrian access through the site is important to retain. The architect should continue making design refinements to Building B to reduce and soften the walls between the elevated open space and S. Alaska Street through regrading, landscaping and blank wall treatment. The Architect will work with the planner on options to satisfy this requirement.

Departures From Development Standards

## Development Standard Departure Matrix

Development Standard	Requirement	Proposed	Departure amount	DR Board Recommendation
Building Width 23.45.011.A	90 ft. w/ modulation.	building A width is 202'  Building B width is 161'	112'  71'	Board Approve
Building Depth 23.45.011.A	65% = 150 ft.	68% of lot depth = 157 and 155 ft.	Additional 3% of lot depth	Board Approve
Modulation Depth 23.45.012.D.2.a.	8'-0" deep for apartments.	Bldg. A to be 2', 3' & 6'. Bldg B at 2 & 4'.	Varies from 4' to 2" relief.	Board Approve
Front Setbacks 23.45.014.A. & 23.86.012.A.1.e.	minimum setback of 10 ft.	8' setback	2' relief	Board Approve
Projections into Setbacks 23.45.014.F.1. & 2.	External architectural details limited to 8 ft in width may project into setback up to 18 inches.	Roof overhang at south side of building projects 4' into rear setback and 12'-8" wide cornice projects 2'-0" beyond bay noted above or 4'-0" into setback.	Variable 4' overhang and cornice into setback.	Board Approve
Parking Access 23.45.018.B	Preferred off of alleys.	Parking access off street. Some stalls accessed off alley	Street and alley	Board Approve

Board Recommendations

After considering the proposed design and the project context, hearing public comment, and reconsidering the previously stated design priorities, the Design Review Board members felt that all of the guidance they had given in their previous meetings had been successfully addressed by the applicant. In addition, all of the board members in attendance (four) supported the Departure request with one further modification. The Design Review Board recommended **conditional approval** of the design with changes described below.

1. The Board recommended that the architect further refine the corner of building A where a pedestrian gate to the green space to the south and a sidewalk between the project's

paved open space and the public sidewalk should be installed. Otherwise building A is approved for recommendation as presented.

2. The architect should continue making design refinements to Building B to reduce and soften the walls between the elevated open space and S. Alaska Street through regrading, landscaping and blank wall treatment. The Architect will work with the planner on options to satisfy this requirement.

### **ANALYSIS AND DECISION - DESIGN REVIEW**

The Director of DPD has reviewed the recommendations of the Design Review Board members present at the Design Review meetings and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily Buildings and that the development standard departures present an improved design solution, better meeting the intent of the Design Guidelines, than would be obtained through strict application of the Seattle Land Use Code. Therefore, the proposed **design is approved** as presented in the official plan sets on file with DPD as of the January 7, 2004. Design Review Board meeting and the recommended **development standard departures** described above are **approved**, with the Board's recommended design **conditions**, enumerated above and summarized at the end of this decision.

### **ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated December 18, 2002 and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

#### **Short - Term Impacts**

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulate from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Storm water, Grading and Drainage Control Code (SGDCC) regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration

of construction. The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

#### Long - Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; and increased demand for public services and utilities.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Storm water, Grading and Drainage Control Code which requires on site detention of storm water with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

#### **DECISION – SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

#### **CONDITIONS - SEPA**

None.

#### **CONDITIONS – DESIGN REVIEW**

##### *Prior to publication*

1. The Board recommended that the architect further refine the corner of building A where a gate to the green space and public sidewalk should be installed. Otherwise building A is approved for recommendation as presented.

2. The architect should continue making design refinements to Building B to reduce and soften the walls between the elevated open space and S. Alaska Street through regrading, landscaping and blank wall treatment. The Architect will work with the planner on options to satisfy this requirement.

Non-Appealable Conditions

3. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Holly Godard, tel 206-615-1254). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
4. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Holly Godard, 206-615-1254), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
5. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.

For the Life of the Project

6. Oil/water separators will be installed at the parking garage levels.

Signature: (signature on file) Date: February 16, 2004

Holly J Godard, Land Use Planner  
Department of Planning and Development